

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2007-56-WS - ORDER NO. 2007-228

APRIL 3, 2007

IN RE: Application of Carolina Water Service, Inc.)	ORDER APPROVING
for Approval of a Contract with Farming)	CONTRACT TO SERVE
Creek Development Company, LLC to Serve)	ROSE OAK
the Rose Oak Subdivision)	SUBDIVISION

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Application of Carolina Water Service, Inc. (“CWS” or “Applicant”) for approval of a contract with Farming Creek Development Company, LLC (“Farming Creek” or “the developer”) to provide wastewater service to the Rose Oak Subdivision (“Rose Oak”) in Richland County. The Applicant and Farming Creek, the developer, have entered into an agreement for wastewater service dated January 12, 2007.

The Applicant proposes to serve Rose Oak, which will consist of approximately twenty-eight (28) single family homes in Phase I and approximately seventy (70) homes in Phase II for a total of approximately ninety-eight (98) single family homes when completed. The Agreement provides, *inter alia*, that Farming Creek will construct all of the necessary sewer facilities required to connect the proposed development to CWS’s facilities serving its designated Friarsgate Franchised Service Territory, acquire all necessary easements and rights-of-way, and convey such facilities and easements to CWS.

According to the Application, the proposed development is within the Company's authorized service area in Richland County and the area is franchised to CWS. No other public or governmental utility is currently authorized to serve the proposed development.

Pursuant to the Agreement, Applicant has agreed to reserve adequate utility capacity for up to ninety-eight (98) wastewater connections located within the development, for a period of three (3) years from such time as the facilities have been formally accepted by CWS. After that time, CWS shall not be obligated to reserve capacity for which no capacity fees have been received. CWS submits that this provision is warranted and in the public interest as it ensures that the developer cannot warehouse capacity such that other development may be discouraged by a potential lack of available capacity. Further, the terms of this contract allow the utility to adequately engage in planning for future operations.

The Office of Regulatory Staff (ORS) does not oppose the Application. The location of the development is within the existing service area of CWS. Capacity is not an issue in this matter.

We therefore approve the Application and the contract. The proposed development to be served is in the service territory of CWS, and no other public or governmental utility is currently authorized to serve the proposed development.

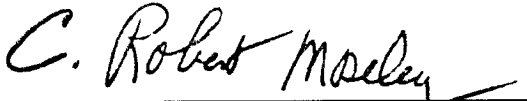
This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman